

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TIELA TRUMPLER,

Plaintiff,

-against-

BENJAMIN J. STRAUB, M.D., EDWARD
AMELMAH, M.D., FARAH TAHER, M.D., and
MONTEFIORE NEW ROCHELLE HOSPITAL,

Defendants.

18-CV-8975 (NSR)

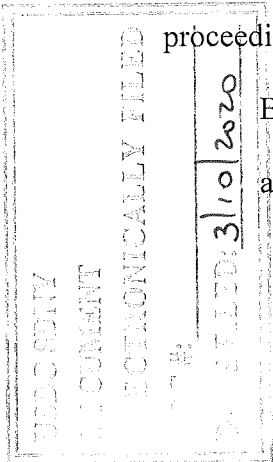
ORDER

NELSON S. ROMÁN, United States District Judge

Plaintiff commenced the instant action in October 2016, in the Supreme Court of the State of New York, County of Westchester, asserting claims sounding in medical malpractice. (ECF No. 1, Ex. A.) Defendants filed a Notice of Removal with this Court on October 1, 2018, transferring this matter to federal court. (ECF No. 1.) By Order dated August 28, 2019, the Court directed Plaintiff to show cause why the instant action should not be dismissed for lack of prosecution (ECF No. 9.) In response, Plaintiff's counsel avers that following discovery, it was determined that two named defendants, Dr. Edward Amelmah ("Dr. Amelmah") and Dr. Farah Taher ("Dr. Taher"), were not involved in the treatment and care of Plaintiff. Plaintiff now seeks a Court order dismissing any and all claims against Dr. Amelmah and Dr. Taher, and remanding the action back to Supreme Court of the State of New York, County of Westchester, for further proceedings against the remaining defendant(s). Defendants have not submitted any opposition.

Based on the foregoing, it is hereby ORDERED, that:

- a. All claims asserted against defendants Dr. Amelmah and Dr. Taher are deemed dismissed; and

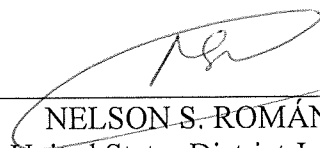


b. Pursuant to 28 U.S.C. § 1447 (b) and (c), the instant action is remanded back to Supreme Court of the State of New York, County of Westchester, for further proceeding.

The Clerk of the Court is respectfully directed to remand this matter and to close the case.

Dated: March 10, 2020
White Plains, New York

SO ORDERED:



NELSON S. ROMAN
United States District Judge